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In re application of  
John H. Sohl, III et al  
Application No. 10/666,557  
Filed: September 22, 2003  
For: SMART DATA SUBSURFACE DATA  
REPOSITORY SYSTEM, METHOD AND  
COMPUTER PROGRAM PRODUCT

: DECISION ON PETITION  
: TO MAKE SPECIAL  
: (ENVIRONMENTAL QUALITY)  
:

This is a decision on the petition submitted on May 11, 2005, under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section V: Environmental Quality.

A grantable petition to make an application special under 37 C. F. R. 1.102(c), MPEP 708.02, Section V for an invention which materially enhances the quality of the environment of mankind by contributing to the restoration or maintenance of the basic life-sustaining elements-air, water and soil, must be accompanied by statements under 37 CFR 1.102 by applicants or their attorney explaining how the invention contributes to the maintenance or restoration of one of these life sustaining elements.

Applicants' invention relates to a process of assessing the environmental damage to a site as well as improving the accuracy of the assessment. The petition states, "the present invention permits the site owner and project manager to make timely decisions as they guide investigations, remediation and monitoring efforts."

This statement is insufficient to grant a petition under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section V: Environmental Quality. In this regard, without some details setting forth how and in what manner applicants' invention functions to permit the maintenance or restoration of the basic life-sustaining elements-air, water and/or soil the petition is insufficient.

The petition to make special based on Environmental Quality is **DISMISSED**.

Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petitioner desire reconsideration, he should supplement this petition by a declaration or statement giving the information as outlined above. Applicants should promptly submit a renewed petition to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



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RAR/jwk: 9/7/05